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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------|-------------|----------------------|---------------------|------------------|
| 10/643,918 | 08/20/2003 | Ryoichi Nozawa | 116886 | 4772 |
| 25944 | 7590 | 10/18/2005 | EXAMINER | |
| OLIFF & BERRIDGE, PLC | | | SANTIAGO, MARICELI | |
| P.O. BOX 19928 | | | ART UNIT | PAPER NUMBER |
| ALEXANDRIA, VA 22320 | | | 2879 | |

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/643,918 | NOZAWA, RYOICHI | |
| | Examiner | Art Unit | |
| | Mariceli Santiago | 2879 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 August 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6, 13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6, 13 and 14 is/are rejected.
- 7) Claim(s) 2-6 and 13 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 August 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>8/23/2005</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Amendment

The Amendment, filed on August 2, 2005, has been entered and acknowledged by the Examiner.

Cancellation of claims 7-12 has been entered.

Claims 1-6, 13 and 14 are pending in the instant application.

Claim Objections

Claims 2-6 and 13 are objected to because of the following reasons:

Claims 2-6 and 13 recite in the preamble "electro-optical device", the recitation should be replaced with --organic electroluminescent (EL) device--, in order to maintain continuity in the claim language. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimoda et al. (US 2002/0158577) in view of Murade (JP 2001-166311A).

Regarding claims 1, 2 and 13, Shimoda discloses an electronic apparatus equipped (Figs. 5-7) with an organic electroluminescent device (Figs. 1-3) having a plurality of light emitting parts (25), comprising a concave part (11) formed on the substrate (10), a power connection part (12) formed in the concave part, the power connection part supplying power to

each of the plurality of light emitting parts (25, Fig. 3), a first electrode (21) formed above at least part of the power connection part and connect to the power connection part, a light emitting layer (24) formed above the first electrode and a second electrode (26) formed above the light emitting layer. Shimoda fails to disclose the concave part formed in a material layer provided on a substrate. However, in the same field of endeavor, Murade discloses a TFT substrate assembly comprising a concave part formed in a material layer made of insulating material, provided on a concave part formed on a substrate, and a power connection part (TFT) formed in the concave part (Fig. 3). The insulating layer is used in order to prevent degradation of the TFT element for pixel switching by any remaining dirt left after cleaning the TFT array substrate, which has been previously polished (Paragraph [0051]). Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the material layer disclosed by Murade in the device of Shimoda to further prevent degradation of the TFT element due to the presence of dirt in the substrate that has been polished.

Regarding claim 3, Shimoda discloses an organic electroluminescent device wherein the concave part is formed in a tapered shape narrowing toward the substrate (Fig. 3).

Regarding claim 4, Shimoda discloses an organic electroluminescent device wherein a top face of the substrate in which the concave part is formed is substantially continuous with top faces of the power connection part disposed in the concave parts (Fig. 3).

Regarding claim 5, Shimoda discloses an organic electroluminescent device wherein at least a portion of each of the light emitting parts being overlapped with each of power connections parts (Fig. 3).

Regarding claim 6, Shimoda discloses an organic electroluminescent device wherein the light emitting parts are organic electroluminescent elements (Paragraph [0033]).

Regarding claim 14, Shimoda discloses an organic electroluminescent device (Figs. 1-3) having a plurality of light emitting parts (25), comprising a concave part (11) formed on the substrate (10), common feeders (12, not shown) formed in the concave part, the common feeders supplying power to each of the plurality of light emitting parts (25), a first electrode (21) formed above at least part of the common feeders, a light emitting layer (24) formed above the first electrode and a second electrode (26) formed above the light emitting layer. Shimoda fails to disclose the concave part formed in a material layer provided on a substrate. However, in the same field of endeavor, Murade discloses a TFT substrate assembly comprising a concave part formed in a material layer, of insulating material, provided on a concave part formed on a substrate, and a power connection part (TFT) formed in the concave part. The insulating layer is formed in order to prevent degradation of the TFT element for pixel switching by any remaining dirt left after cleaning the TFT array substrate that has been previously polished (Paragraph [0051]). Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the material layer disclosed by Murade in the device of Shimoda to further prevent degradation of the TFT element due to the presence of dirt in the substrate that has been polished.

Response to Arguments

Applicant's arguments with respect to claims 1-6, 13 and 14 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MS 10/16/05
Mariceli Santiago
Primary Examiner
Art Unit 2879